

REMARKS

Claims 39-44 and 47-49 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 46-49 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Although claim 46 has been cancelled, the language of claim 46 has been incorporated into claim 47 which has been rewritten in independent form. Accordingly, the language copied from claim 46 has been corrected to provide proper antecedent basis for "support arm." Therefore, reconsideration and withdrawal of this rejection are respectfully requested.

With regard to the finality of the Office Action, Applicants request that the Examiner withdraw the finality of the Office Action since the above rejection was a new ground of rejection that was not necessitated by Applicants' amendment or by the submission of the Information Disclosure Statement.

REJECTION UNDER 35 U.S.C. § 103

Claims 37, 38 and 54 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumasaka et al (U.S. Pat. No. 4799416) in view of Cotton et al (U.S. Pat. No. 4892022) and Brundage et al (U.S. Pat. No. 4,934,233) or Emmons (U.S. Pat. No. 2,861,607). This rejection is respectfully traversed.

Claims 37, 38 and 53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumasaka et al (U.S. Pat. No. 4799416) in view of Cotton et al (U.S. Pat. No. 4892022) and Dehari et al (U.S. Pat. No. 5146825). This rejection is respectfully traversed.

Claims 37, 38 and 54 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Brault et al (U.S. Pat. No. 6431042) in view of Cotton et al (U.S. Pat. No. 4892022) and Brundage et al (U.S. Pat. No. 4934233) or Emmons (U.S. Pat. No. 2861607). This rejection is respectfully traversed.

Claims 37, 38 and 53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Brault et al (U.S. Pat. No. 6431042) in view of Cotton et al (U.S. Pat. No. 4892022) and Dehari et al (U.S. Pat. No. 5146825). This rejection is respectfully traversed.

Claims 37, 38, 45, 46, and 53-58 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumasaka et al (U.S. Pat. No. 4799416) in view of Cotton et al (U.S. Pat. No. 4892022) and Itzov (U.S. Pat. No. 5937720). This rejection is respectfully traversed.

Claims 37, 38, 45, 46, and 53-58 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Itzov (U.S. Pat. No. 5937720) in view of Cotton et al (U.S. Pat. No. 4892022). This rejection is respectfully traversed.

Claims 37-52, 54, and 57 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Stumpf et al (U.S. Pat. No. 6425309) in view of Cotton et al (U.S. Pat. No. 4892022) and Brundage (U.S. Pat. No. 4934233). This rejection is respectfully traversed.

Claims 37, 38, 45, 46, 53-58 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Brault et al (U.S. Pat. No. 6431042) in view of Cotton et al (U.S. Pat. No. 4892022) and Itzov (U.S. Pat. No. 5937720). This rejection is respectfully traversed.

Claims 37-52, 54, and 57 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Brault et al (U.S. Pat. No. 6431042) in view of Cotton et al (U.S. Pat. No. 4892022), Stumpf (U.S. Pat. No. 6425309) and Brundage et al (U.S. Pat. No. 4934233). This rejection is respectfully traversed.

Applicants note that claims 37, 38, 45, 46, and 50-58 have all been cancelled. The remaining claims 39-44 and 47-49 were all rejected under 35 U.S.C. § 103(a) in which commonly owned U.S. Patent No. 6,425,309 to Stumpf was relied upon by the Examiner for making the rejection. Applicants submit herewith a Statement of Common Ownership of Prior Art Citation and Invention to Disqualify the '309 Reference as Prior Art Under 35 U.S.C. § 103(c). Furthermore, Applicants submit herewith a Terminal Disclaimer relating to the '309 patent to overcome any potential double patenting or obviousness-type double patenting rejections that the Examiner might provide. See MPEP § 706.02(I)(1)-(3). Accordingly, Applicants submit that claims 39, 42 and 47, which have all been rewritten in independent form, as well as the claims that depend therefrom, are all now in condition for allowance. (It is noted that claim 47 does not include the limitations of previously intervening claim 46.) Therefore, reconsideration and withdrawal of the rejection of these claims are respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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